

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America,)	CRIMINAL NO. 3:05-464-CMC
)	
v.)	OPINION and ORDER
)	
William Lewis,)	
)	
Defendant.)	
_____)	

This matter is before the court on Defendant's motion to vacate filed in this court pursuant to 28 U.S.C. § 2255. The Government has moved for summary judgment, to which Defendant has responded.

Defendant he contends he is entitled to relief based upon a variety of recent – and some not-so-recent – Supreme Court decisions. However, none of the decisions cited have any applicability to Defendant's case, and his efforts to meet one of the deadlines imposed by § 2255(f) are unavailing.

For the reasons stated in the Government's motion for summary judgment, with which this court agrees, Defendant's motion is time barred. Accordingly, the Government's motion for summary judgment is **granted** and this matter is dismissed with prejudice.

CERTIFICATE OF APPEALABILITY

The governing law provides that:

(c)(2) A certificate of appealability may issue . . . only if the applicant has made a substantial showing of the denial of a constitutional right.

(c)(3) The certificate of appealability . . . shall indicate which specific issue or issues satisfy the showing required by paragraph (2).

28 U.S.C. § 2253(c). A prisoner satisfies this standard by demonstrating that reasonable jurists

would find this court's assessment of his constitutional claims is debatable or wrong and that any dispositive procedural ruling by the district court is likewise debatable. *See Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Rose v. Lee*, 252 F.3d 676, 683 (4th Cir. 2001). In this case, the legal standard for the issuance of a certificate of appealability has not been met. Therefore, a certificate of appealability is **denied**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
April 29, 2014